

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ELIZABETH MARCOTTE

PLAINTIFF

VS.

NO. 4:06CV000658

**UNITED PARCEL SERVICE, INC. and
JOHN DOE MAINTENANCE COMPANY**

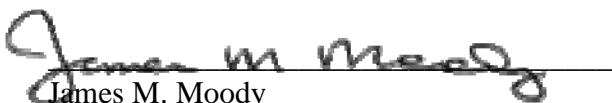
DEFENDANTS

ORDER

Pending is Plaintiff's motion in limine regarding certain testimony. (Docket # 50).

Defendant has responded. Plaintiff seeks to preclude any testimony that involves speculation regarding the condition of the box prior to the incident in question. The Court finds that any testimony or evidence which is based on speculation will be inadmissible. The Court will determine the admissibility of such testimony or evidence at the time of trial.

IT IS SO ORDERED this 20th day of July, 2007.



James M. Moody
United States District Judge